

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/576,843  
Int'l. Filing Date: 20 October 2004  
Applicant: OLSTEIN, Alan .  
Title: METHOD FOR DETECTING LISTERA SPP

Int'l. Appln. No.: PCT/US2004/34633  
Priority Date: 20 October 2003  
Atty. Docket: 21001.002

**TRANSMITTAL OF MISSING REQUIREMENTS OF  
APPLICATION FILED UNDER 35 USC §371**

**Mail Stop PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

To the Commissioner:

In response to the Notification of Missing Requirements dated January 3, 2007 (copy enclosed), enclosed is:

- An executed Declaration and Power of Attorney for filing with the above-referenced patent application and;
- Additional claims fees in the amount of \$1,555 as required in the Notification.


Kindly place these documents in the application's file, forward an Official Filing Receipt, and commence examination. The \$65.00 fee for furnishing the Declaration later than 30 months from the earliest claimed priority date (37 CFR §1.492(f)) was paid upon filing of the application on 20 April 2006.

The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 18-2055.

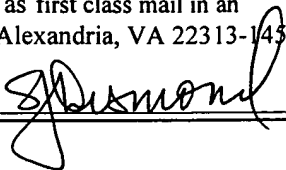
03/12/2007 JBALINAN 00000001 182055 10576843

01 FC:2617	65.00 DA
02 FC:2615	1375.00 DA
03 FC:2616	180.00 DA

For the Applicant,

  
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I certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: 05 March 2007 Date of Signature: 05 March 2007 Signature: 



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/576,843	Alan Olstein	21001002PCT

INTERNATIONAL APPLICATION NO.
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PCT/US04/34633

I.A. FILING DATE	PRIORITY DATE
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10/20/2004

INTELLECTUAL PROPERTY DEPARTMENT  
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COPY

CONFIRMATION NO. 7439

371 FORMALITIES LETTER



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Date Mailed: 01/03/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/20/2006
- Copy of the International Search Report filed on 04/20/2006
- Information Disclosure Statements filed on 04/20/2006
- Oath or Declaration filed on 04/20/2006
- Request for Immediate Examination filed on 04/20/2006
- U.S. Basic National Fees filed on 04/20/2006
- Specification filed on 04/20/2006
- Claims filed on 04/20/2006
- Abstracts filed on 04/20/2006
- Drawings filed on 04/20/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$1555 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$1555** for a Small Entity:

- Total additional claim fee(s) for this application is \$ 1555
  - \$1375 for 64 total claims over 20.
  - \$180 for multiple dependent claim surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/576,843	PCT/US04/34633	21001002PCT